

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA : CASE NO. 3:18-CR-158
Plaintiff, : (Judge Walter H. Rice)
v. :
NASER ALMADAOJI : MOTION FOR DISCLOSURE OF THE
Defendant. : EXISTENCE AND SUBSTANCE OF
 : PROMISES OF IMMUNITY, LENIENCY
 : OR PREFERRED TREATMENT

Now comes the Defendant, Naser Almadaoji, by and through counsel, and respectfully moves this Court for an Order compelling the Government to produce – prior to trial – the following information:

The existence, substance and the manner of execution of fulfillment of any promise, statement, agreement, understanding or arrangement, either verbal, written or implied between the Government or its agents and any prosecution witness or cooperating individual, or such person's attorneys or representatives, for the purpose of obtaining said person's testimony or cooperation, or the disclosure of information by the person to the Government or its agents, wherein the Government or any of its agents has agreed to do or has suggested it would do any of the following:

1. Not to prosecute said person for any crime or crimes or recommend that the person not be prosecuted for any past or future criminal conduct;

2. Not to prosecute a third-party for any crime or crimes where the reason for not prosecuting the third-party is a consideration to the person;
3. To provide a formal grant of statutory immunity or to provide an informal assurance that the person will not be prosecuted in connection with any testimony, cooperation or information given by him or her;
4. To recommend leniency or a particular sentence for any crime or crimes for which he or she stands convicted or is expected to be convicted;
5. To comply with any prior agreements although said witness may have previously violated a part of his or her agreement
6. To provide favorable treatment or consideration including, but not limited to, money, a job, a new location, a new start, etc., to the person or to friends or relatives of the person in return for his or her testimony or cooperation, and/or providing information;
7. To make any recommendation of benefit to the person to any state or federal agency including, but not limited to, any state or federal law enforcement agency;
8. To cooperate with any state law enforcement agency in that agency's agreement not to prosecute said person for any crime or crimes prohibited by state law; and
9. To make any other recommendation of benefit, or give any other consideration to the person or friends or relatives of said person.

Any canceled checks, receipts, vouchers, or any other document produced as a result of any promise, statement, agreement, understanding or arrangement by which any of the above was provided to the person or by which record was kept of such by the Government.

Respectfully submitted,

/s/ James P. Fleisher

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Attorney for Defendant, Naser Almadaoji

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of March, 2020, I filed the foregoing document with the Clerk of Courts, United States District Court, Southern District of Ohio, by way of the Court's CM/ECF system.

/s/ James P. Fleisher

JAMES P. FLEISHER

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